

2 **SSB 5214** - H AMD TO APP COMM AMD (H-2671.1/99) **0221 ADOPTED 04/16/99**  
3 By Representative Carrell

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5 On page 2, beginning on line 3 of the amendment, strike all  
6 material through line 16 of the amendment, and insert the following:

7 "Upon the arrest of a person at least twelve years of age and not  
8 more than twenty-one years of age for violating subsection (1) (a) of  
9 this section, the person shall be detained or confined in a juvenile or  
10 adult facility for up to seventy-two hours. The person shall not be  
11 released within the seventy-two hours until after the person has been  
12 examined and evaluated by the county-designated mental health  
13 professional unless the court in its discretion releases the person  
14 sooner after a determination regarding probable cause or on probation  
15 bond or bail.

16 Within twenty-four hours of the arrest, the arresting law  
17 enforcement agency shall refer the person to the county-designated  
18 mental health professional for examination and evaluation under chapter  
19 71.05 or 71.34 RCW and inform a parent or guardian of the person of the  
20 arrest, detention, and examination. The county-designated mental  
21 health professional shall examine and evaluate the person subject to  
22 the provisions of chapter 71.05 or 71.34 RCW. The examination shall  
23 occur at the facility in which the person is detained or confined. If  
24 the person has been released on probation, bond, or bail, the  
25 examination shall occur wherever is appropriate.

26 The county-designated mental health professional may determine  
27 whether to refer the person to the county-designated chemical  
28 dependency specialist for examination and evaluation in accordance with  
29 chapter 70.96 RCW. The county-designated chemical dependency  
30 specialist shall examine the person subject to the provisions of  
31 chapter 70.96 RCW. The examination shall occur at the facility in  
32 which the person is detained or confined. If the person has been  
33 released on probation, bond, or bail, the examination shall occur  
34 wherever is appropriate.

35 Upon completion of any examination by the county-designated mental  
36 health professional or the county-designated chemical dependency  
37 specialist, the results of the examination shall be sent to the court,

1 and the court shall consider those results in making any determination  
2 about the person.

3 The county-designated mental health professional and county-  
4 designated chemical dependency specialist shall, to the extent  
5 permitted by law, notify a parent or guardian of the person that an  
6 examination and evaluation has taken place and the results of the  
7 examination. Nothing in this subsection prohibits the delivery of  
8 additional, appropriate mental health examinations to the person while  
9 the person is detained or confined.

10 If the county-designated mental health professional determines it  
11 is appropriate, the county-designated mental health professional may  
12 refer the person to the local regional support network for follow-up  
13 services or the department of social and health services or other  
14 community providers for other services to the family and individual."

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